

Appendix A: Sample Complaint and Civil Cover Sheet

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE  
(Write the District and Division, if any, of  
the court in which the complaint is filed.)

U.S. DISTRICT COURT  
PORTLAND, MAINE  
RECEIVED AND FILED

2017 JUN 14 A 10:59

Susanna P. Coady  
(see attached)

(Write the full name of each plaintiff who is filing  
this complaint. If the names of all the plaintiffs  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional  
page with the full list of names.)

-against-

Digideal Corporation  
(see attached)

(Write the full name of each defendant who is  
being sued. If the names of all the defendants  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional  
page with the full list of names.)

DEPUTY CLERK

Complaint for a Civil Case

Case No. \_\_\_\_\_  
(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No  
(check one)

Title: Trademark Infringement

Susanna P. Coady  
Susanna P. Coady  
Susanna P. Coady  
6/14/17

**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Susanna P. Coady
Street Address	454 Sawyer Rd
City and County	Greene
State and Zip Code	Maine 04236
Telephone Number	1-207-754-8800
E-mail Address	coadycor@gmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name	Digideal Corporation
Job or Title (if known)	
Street Address	5207 E Third Avenue
City and County	Spokane Valley
State and Zip Code	Washington 99212
Telephone Number	1-509-747-8887
E-mail Address (if known)	info@digideal.com

**Defendant No. 2**

Name	
Job or Title (if known)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

<sup>25</sup>  
Susanna P. Coady  
Susanna P. Coady 6/14/17

E-mail Address \_\_\_\_\_  
(if known) \_\_\_\_\_

Defendant No. 3

Name \_\_\_\_\_  
Job or Title \_\_\_\_\_  
(if known) \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
(if known) \_\_\_\_\_

Defendant No. 4

Name \_\_\_\_\_  
Job or Title \_\_\_\_\_  
(if known) \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
(if known) \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

Susanna P. Coady  
26  
Susanna P. Coady  
6/14/17

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

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**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Susanna Coady, is a citizen of the State of (name) MAINE.

b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) Digideal Corporation is incorporated under the laws of the State of (name) Washington, and has its principal place of business in the State of (name) Washington. Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an*

Susanna P. Coady  
Susanna P. Coady  
6/14/17

Trademark Infringement

Page 5 of 7

additional page providing the same information for each additional defendant.)

### 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

\$8,787,870.00

Trademark Infringement 'Pik-it'

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I (Susanna Coady) own the Trademark Pik-it.  
Registered Nov. 9, 2010, Reg. No. 3,874,662. Digidead Corporation applied for the trademark Pik-it Poker on October 11, 2010 and was denied July 28, 2011 because I own Pik-it. They continued to use my trademark (to this day) without my consent.

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

See Attached—Page 6

CI have 13 Exhibits to prove)  
my case

Susanna P. Coady <sup>28</sup> Susanna P. Coady 6/14/17



Trademark Infringement

Exhibit 10

Page 6 of 7

## DigiDeal Corporation

5123 E 3RD AVE  
SPOKANE VALLEY, Washington 99212  
United States

(509) 747-8887  
(509) 747-5125 Fax  
www.digideal.com



### Company Background & Description

Revenue: \$10 mil. - \$25 mil.

\$22,000,000

Employees: 20 - 50

Industry: Toys & Games, Manufacturing, Gambling & Gaming, Recreation, Hospitality

SIC Codes: 5099, 7389, 7993

Products and Services: electronic multi-player table game products, gaming technology, table

**Company Description:** DigiDeal®, a Nevada Corporation, was founded in 1998 and is in the business of inventing, designing, prototyping and delivering innovative products to the gaming industry. DigiDeal Corporation is a privately held company located in Spokane, Washington. The company's facility at 5207 E. Third Avenue houses the corporate offices and support staff of technicians, designers and software engineers as well as a complete product showroom. Technical support, product assembly, component manufacturing and shipping is done from a new, updated manufacturing and warehouse addition completed in 2005. DigiDeal maintains a strong and ongoing portfolio of gaming intellectual properties. Currently DigiDeal has nearly 20 issued patents covering a wide range of gaming products with many additional patents pending. The Company's primary technology is a patented electronic table game platform. The "Digital Card System" (DCS) is the current approved platform with nearly 200 in play around the world. The DCS utilizes a digital card shuffle and delivery system in conjunction with a live dealer and real chips. The DCS platform allows the casino the ability to customize rules and retrieve statistical game history not available on traditional tables. In addition, the platform reduces dealer training, eliminates mistakes and cheating and increases table productivity up to 100% or more. DigiDeal's next generation of its electronic table game platform is the Digital Table System (DTS) offering even greater operational efficiencies than the DCS, while maintaining the feel and play of a live table game. While

### People

#### Management Level

CEO-Level (1)  
VP-Level (1)  
Director (3)  
Manager (4)  
Non-Manager (5)

#### Job Function

Engineering (1)  
Finance (2)  
General Management (1)  
Legal (1)  
Marketing (1)  
Operations (1)  
Sales (5)

DigiDeal

Revenue - least amount

\$10 million per year.

11 Games on DigiDeal's Website.

roughly \$909,090 per game per year.

2 Games are "Pik-it" on their website

$$909,090 \times 2 = \$1,818,180$$

July 28, 2011 is the date DigiDeal was denied the trademark "Pik-it Poker." This is the date that DigiDeal has knowingly been infringing on my trademark.

Year 2011 - 5 months	1,818,180
" 2012 - 12 months	
" 2013 - 12 months	
" 2014 - 12 months	
" 2015 - 12 months	
" 2016 - 5 months	
	$\times 4 \text{ years}$
	7,272,720
	+ 1,515,150 (10 months)
	\$ 8,787,870
	Trademark Infringement

Susanna P. Coady

Susanna P. Coady

6/14/17

Trademark Infringement

Page 7 of 7

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: June 14, 2017

Susanna P. Coady

Signature of Plaintiff

Susanna P. Coady

Printed Name of Plaintiff

Susanna P. Coady

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney

\_\_\_\_\_

Printed Name of Attorney

\_\_\_\_\_

Bar Number

\_\_\_\_\_

Name of Law Firm

\_\_\_\_\_

Address

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

E-mail Address

\_\_\_\_\_

Susanna Coady

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6/14/17